

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**JOHN D. FRESHWATER, et al.,**

**Plaintiffs,**

**v.**

**Case No. 2:09-cv-464  
JUDGE GREGORY L. FROST  
Magistrate Judge King**

**MOUNT VERNON CITY SCHOOL  
DISTRICT BOARD OF EDUCATION, et al.,**

**Defendants.**

**ORDER**

Defendants' Motion to Dismiss (Doc. # 49) is set for a non-oral hearing on February 2, 2010 at 8:00 a.m.

**IT IS SO ORDERED.**

/s/ Gregory L. Frost  
GREGORY L. FROST  
UNITED STATES DISTRICT JUDGE